

Mayor Charles Henderson called the meeting to order at 6:00 p.m.

PRESENT: Board Members Mayor Charles Henderson, and Kevin Hoover; Clerk Treasurer Jeannine Myers; City Attorney Shawna Koons; City Engineer and Director of the Department of Community Development Services Mark Richards.

Mr. Hoover moved to accept the regular minutes of June 10<sup>th</sup>, 2010 as presented. Second by Mayor Charles Henderson. **Vote: Ayes. Motion carries.**

Director of Community Development Services and City Engineer Mark Richards reviewed the following recommendation of Paul Peoni Engineering Division of the Department of Community Development Services:

**Re-Plat Blocks A and B – Replat of Ormiso Heights – Section One – One Mission Society**

Dane Waltman, Northpointe Surveying Inc., appeared regarding the following request:

- 1) Execute the final Re-Plat of Block “A” & “B” – Ormiso Heights.

The re-plat has been reviewed and there are revisions needed. The engineering division recommends conditional approval of the above mentioned re-plat subject to the following item being addressed:

- a) Final review and approval of a revised re-plat by the engineering and planning divisions.

Moved by Mr. Hoover. Second by Mayor Charles Henderson. **Vote: Ayes. Motion carries.**

**The Trails at South Lake – Section 1 & The Preserve at South Lake – Section 2**

Kathie Freeman, Republic Development LLC, appeared regarding the following requests:

- 1) Accept the erosion control at The Trails @ Southlake, Section One and The Preserve @ Southlake, Section Two.
- 2) Accept three (3) year maintenance bond #5037555 in the amount of \$54,236.20 from Bond Safeguard Insurance Company for the erosion control at The Trails @ Southlake, Section One and The Preserve @ Southlake, Section Two.
- 3) Release performance bond #5015030 in the amount of \$271,181.00 from Bond Safeguard Insurance Company for the installation of the erosion control at The Trails @ Southlake, Section One and The Preserve @ Southlake, Section Two.
- 4) Accept the monumentation (perimeter & centerline) at The Trails @ Southlake, Section One and The Preserve @ Southlake, Section Two.
- 5) Accept three (3) year maintenance bond #5037554 in the amount of \$1,098.00 **once revised** from Bond Safeguard Insurance Company for the monumentation (perimeter & centerline) at The Trails @ Southlake, Section One and The Preserve @ Southlake, Section Two.
- 6) Accept the asphalt surface at The Trails @ Southlake, Section One and The Preserve @ Southlake, Section Two.
- 7) Accept three (3) year maintenance bond #929499929 **once revised** from Western Surety Company in the amount of \$23,236.00 for the asphalt surface at The Trails @ Southlake, Section One and The Preserve @ Southlake, Section Two.

There has been a final field inspection by Kevin Riddle of the engineering division and all items being asked for acceptance appear to have been satisfactorily installed. The inspection and testing fees are in order. The engineering division has received acceptable mylar as-builts. The engineering division recommends conditional approval of the above; subject to the following items being addressed:

- a) Receipt of and then review and approval of the revised maintenance bond for the monumentation by the engineering division
- b) Receipt of and then review and approval of the revised maintenance bond for the asphalt surface by the law department and the engineering division.

Moved by Mr. Hoover. Second by Mayor Charles Henderson. **Vote: Ayes. Motion carries.**

#### **Brookhaven – Section 4**

Tim Stevens, Mann Properties, appeared regarding the following requests:

- 1) Accept the sanitary sewers at Brookhaven Subdivision, Section Four.
- 2) Accept three (3) year maintenance bond #5037552 in the amount of \$12,071.77 from Bond Safeguard Insurance Company for the sanitary sewer at Brookhaven Subdivision, Section Four.
- 3) Execute the final plat for Brookhaven Subdivision, Section Four.

There has been a final field inspection by the sanitation department and Keith Meier, Sanitation Superintendent, has given approval of the sanitary sewer installation. The engineering division and sanitation department have received acceptable mylar as-builts. There is a balance due on the inspection and testing fees. The amount shown on the three (3) year maintenance bond is correct. The form of the three (3) year maintenance bond has been approved by the law department. The final plat appears to be in order. The engineering division recommends conditional approval of the above; subject to the following items being addressed:

- a) Payment of the balance of the inspection and testing fees due made payable to the City of Greenwood – Sanitation (\$857.50)
- b) Receipt of the executed second page of the “Owner’s Certification of Completion of Improvements and Contractor’s Affidavit”

Moved by Mr. Hoover. Second by Mayor Charles Henderson. **Vote: Ayes. Motion carries.**

#### **Nuisance Complaints**

John Myers, Code Enforcement Officer, stated that the following nuisance complaints were abated:

- 1) 1697 Blue Lake Drive – Pan
- 2) 2958 Holiday Way – Singh
- 3) 648 Locust Grove Lane - Grubbs
- 4) 2144 Mugo Pine Court – Bergeron
- 5) 971 Rolling Hills Road – Nta
- 6) 2890 Seasons Drive – Singh
- 7) 656 Shady Creek Court – Nail
- 8) 308 Winterset Way – Burchfield

John Myers, Code Enforcement Officer, spoke on the following nuisance complaints:

- 1) 468 Southgate Drive – Doble

Mr. Myers stated that the property has abandoned vehicles parked in the driveway, trash, and a pop up unlicensed camper. Mr. Myers stated that the camper is the only item still in violation. Mr. Doble stated that the camper was owned by his uncle who is deceased and it is part of his estate. But there is a lien on it, which is going to be released so the title may be released. Legally nothing can be done with it until the title is given back in thirty-five to forty-five days. Mr. Hoover moved to continue the nuisance complaint for 468 Southgate Drive until the July 22<sup>nd</sup> 2010 meeting. Second by Mayor Charles Henderson. **Vote: Ayes. Continued until the July 22<sup>nd</sup> 2010 meeting.**

2) 653 Rocky Meadow Drive – Ash/Vanus

Mr. Myers stated that the property is vacant with high grass and weeds. Mr. Hoover moved to find that a nuisance exists at 653 Rocky Meadow Drive, and directed the City Attorney to issue an Order of Abatement giving 10 days notice and failing that to authorize the City Attorney to take all steps deemed appropriate to abate the nuisance and charge the cost thereof against the property owners. Second by Mayor Charles Henderson. **Vote: Ayes. Motion carries.**

3) 793 Sable Creek Lane – Jones

Mr. Myers stated that the property is vacant and has high grass and weeds. Mr. Hoover moved to find that a nuisance does exist at 793 Sable Creek Lane, and directed the City Attorney to issue an Order of Abatement giving 10 days notice and failing that to authorize the City Attorney to take all steps deemed appropriate to abate the nuisance and charge the cost thereof against the property owners. Second by Mayor Charles Henderson. **Vote: Ayes. Motion carries.**

4) 936 Shenandoah Way – Kaur

Mr. Myers stated that the property is vacant and has high grass and weeds. Mr. Hoover moved to find that a nuisance does exist at 936 Shenandoah Way, and directed the City Attorney to issue an Order of Abatement giving 10 days notice and failing that to authorize the City Attorney to take all steps deemed appropriate to abate the nuisance and charge the cost thereof against the property owners. Second by Mayor Charles Henderson. **Vote: Ayes. Motion carries.**

**Audience**

None.

**City Attorney Status of Tasks**

City Attorney Shawna Koons confirmed that everyone received the Memorandum of Status of Tasks and asked if there were any questions.

City Attorney Shawna Koons presented the following:

**Termination or Renewal of the Curbside Trash Collection and Recycling Contract with Best Way of Indiana, Inc.**

The curbside trash collection and recycling services contract with Best Way of Indiana, Inc. ("Best Way") is set to expire November 7, 2010. It may be renewed for an additional one-year term pursuant to our current agreement. Under the terms of the contract we are obligated to provide Best Way notice of intent to terminate the contract within 120 days of the expiration date. Notice would have to be sent by July 9, 2010.

Mayor Charles Henderson moved to renew the contract, to direct the City Attorney to draft all documents necessary to effectuate a renewal of the curbside trash collection and recycling services agreement with Best Way of Indiana, Inc. for an additional one year period, and to authorize him to sign any and all such documents in the Board's behalf. Second by Mr. Hoover. **Vote: Ayes. Motion carries.**

**Opt to Contract for Trash and Curbside Recycling Services**

Greenwood Municipal Code (1993), as amended, Section 6-320, provides that residents who do not otherwise qualify as participants for its Trash Collection and Curbside Recycling Program may opt to participate if they agree to abide by the terms of the program and pay the fees for participation. The Board previously approved a contract for this purpose. Three residents who qualify are opting to participate and the contracts to permit the participation must be approved by the Board.

- 1) Danny Hartley, 823 W. Smith Valley Road
- 2) Jim Clow, 885 W. Cutsinger Road
- 3) Mary Eversole, 1526 S. U.S. Highway 31

Mr. Hoover moved to approve the Opt to Contract for Trash and Curbside Recycling Program for the regoing residents and to authorize the Mayor to execute the Contracts in the Board's behalf. Second by Mayor Charles Henderson. **Vote: Ayes. Motion carries.**

#### **City Engineer**

Director of Community Development Services and City Engineer Mark Richards reviewed the following recommendations:

**Village of Lone Pine, Section 1** – Representatives of Zinkan & Barker Development Company, LLC (Owner) appeared to request acceptance of sanitary sewer improvements completed for the Village of Lone Pine development. The Sanitation Department has inspected the improvements and has issued a "Letter of Approval of Completion" (attached as Exhibit 1-1). Inspection and Testing fees are also summarized on Exhibit 1-1 provided to the Board, and Owner has paid the balance of those fees (\$752.50). Owner has provided "Owner's Certificate of Completion" for acceptance by the Board, Exhibit 1-2, provided to the Board. Record drawings have been submitted by Owner, and have been reviewed and approved by the Sanitation Department. There is miscellaneous work remaining to be completed by Owner, for which a performance guarantee has been provided in the amount of \$77,210 (itemized cost list in Exhibit 1-3, provided to the Board). A maintenance guarantee for the completed work in the amount of \$180,825 has also been provided. Owner has been advised that, prior to acceptance of the remaining work and release of the performance guarantee, the work shall be inspected by Sanitation Department staff, and a separate maintenance guarantee in the amount of \$14,307 must be posted to cover the amount of the unfinished work. The Engineer's Report for the project (Exhibit 1-4, provided to the Board) has been reviewed and approved by the Sanitation Department.

Mr. Hoover moved to accept a Performance Bond in the amount of \$77,210 for unfinished work; to accept a Maintenance Bond in the amount of \$180,825 as a three (3) year maintenance guarantee; to accept "Owner's Certificate of Completion of Improvements"; and to accept the sanitary sewer improvements for Village of Lone Pine, Section 1; subject to final review of the documents by the Engineering Division. Second by Mayor Charles Henderson. **Vote: Ayes. Motion carries.**

**Worthsville Road Reconstruction Project, Parcel 18** – An administrative settlement to acquire property necessary for reconstruction of Worthsville Road was presented to, and approved by, the Redevelopment Commission (RDC) at its June 8<sup>th</sup>, 2010 meeting. An offer was made to Patricia Best for land designated as Parcel 18. The offer was in the amount of \$34,820.00 for 0.166 acres of permanent (fee simple) right-of-way, land improvements, and severance damages. This offer was rejected by Ms. Best, who believes that additional compensation should be made to replace a drive turn-around. The requested additional compensation will increase the purchase offer by \$4,000.00 to \$38,820.00. The RDC considers it to be in the City's best interest to settle this parcel for the proposed amount of \$38,820.00 to avoid delays and additional cost that would be incurred should the City pursue condemnation.

Mr. Hoover moved, pursuant to the recommendation of the Redevelopment Commission, to accept the offer of administrative settlement as described in the Memorandum to the City of Greenwood from Gina M. Hansen, Land Agent, RWS South, Inc., dated June 18<sup>th</sup>, 2010, to fully acquire Parcel 18 of the Worthsville Road Reconstruction Project. Second by Mayor Charles Henderson. **Vote: Ayes. Motion carries.**

**Smith Valley Road Closure** – Calumet Civil Contractors, Inc. has submitted a request to close Smith Valley Road to through traffic between Meridian Street and Main Street beginning the evening of Friday, July 9<sup>th</sup>, 2010 and ending the following day at 5:00 p.m. The purpose of the closure is to install the pre-fabricated section of pedestrian bridge being constructed as part of the Tracy Trail Phase 2 project. The Maintenance of Traffic

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provisions of Calumet's contract with INDOT require that closure not begin prior to 7:00 p.m. on July 9<sup>th</sup>. Traffic will be directed to a detour route on County Line Road between Emerson Avenue and Meridian Street, and on Meridian Street between County Line Road and Smith Valley Road. Detour signs will be posted, and all contacts on the Road Closure Notification List, as well as local media outlets, will be advised of the closure. The letter requesting INDOT approval and the supporting detour diagram, as well as INDOT's response, were provided to the Board as Exhibit 3.

Mr. Hoover moved to authorize the closure of Smith Valley Road to through traffic between Meridian Street and Main Street to allow installation of the Tracy Trail Phase 2 pedestrian bridge, beginning at 7:00 p.m. on Friday, July 9<sup>th</sup>, 2010 for a period of time not to exceed 22 hours. If unforeseen delays beyond the control of the contractor occur, contractor shall notify all contacts on the City of Greenwood Road Closure Notification List of the delay, including an estimated time that the road will be re-opened to traffic. Detour routes shall be posted in accordance with the approved Maintenance of Traffic Plan. Second by Mayor Charles Henderson. **Vote: Ayes. Motion carries.**

**Fry Road Reconstruction Project** – At the November 19, 2009 BPW&S meeting, the Board accepted the authority granted by the Redevelopment Commission to approve change orders for the Fry Road Reconstruction Project for amounts up to \$15,000 per individual change order. Three (3) change orders were forwarded for approval on June 23, 2010. CO No. 001 is a no cost change, but is simply an extension by three (3) days for project completion due to INDOT delays in processing contract documents. CO No. 002 is a claim by the contractor in the amount of \$9,396.32 for additional work required due to unforeseen utility conflicts. CO No. 3 is for addition of a Modified C-4 Manhole for the storm sewer system to accommodate a utility conflict. All Change Orders were prepared by the City's inspection firm, and have been reviewed and approved by the INDOT District Engineer. The CO's have also been reviewed by the Greenwood City Engineer and are in order.

Clerk Treasurer Jeannie Myers asked for the dollar amount of the third change order. Mr. Richards replied that it is \$3,423.34. Mr. Hoover moved to approve Change Orders Nos. 1, 2 & 3 for the Fry Road Reconstruction project, and to authorize the Mayor to sign on the Board's behalf. Second by Mayor Charles Henderson. **Vote: Ayes. Motion carries.**

**Greenwood Boat and RV Storage, LLC** – Property located at 70 East Main Street, owned by Greenwood Boat and RV Storage, LLC, has been found to have a sanitary sewer main located on the property that is not within a sanitary sewer easement. The owner has requested that the City provide compensation for an easement, thus appraisal to determine value of an easement will be necessary.

Mr. Hoover moved to authorize the hiring of appraiser(s) to determine the value of real estate located at 70 West Main Street necessary for a sanitary sewer easement for an existing sanitary sewer main, to direct staff to take all action necessary to hire appraiser(s), and to authorize the Mayor to sign appraisal contracts in the Board's behalf. Second by Mayor Charles Henderson. **Vote: Ayes. Motion carries.**

**Human Resources**

None.

**Director of Operations**

None.

**Clerk Treasurer**

Clerk Treasurer Jeannine Myers asked if the bid for the 2010 Bituminous Overlay Project was publicly awarded. Mr. Richards replied that it was awarded at the first or second meeting in May. Clerk Treasurer Jeannine Myers stated that the Council approved paying \$1,000,000 for the project out of CCD but the bid was more than that. Clerk Treasurer Jeannine Myers asked where the balance should be paid out of. Director of

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Operations Norm Gabehart replied that the rest would come from the Restrictive Donation from Clark Pleasant School.

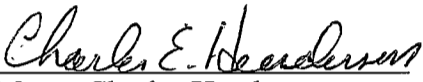
**Claims**

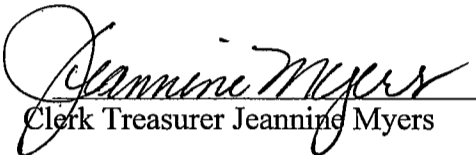
Mr. Hoover moved to accept and approve the claims as presented through June 24<sup>th</sup> 2010. Second by Mayor Charles Henderson. **Vote: Ayes. Motion carries.**

**Mayor**

None.

With no further business, the meeting adjourned at 6:33 p.m.

  
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Mayor Charles Henderson

  
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Clerk Treasurer Jeannine Myers